

The law of succession is a part of civil law and its main goal is to secure the succession during generations. On somebody's decease there is come to gaining inheritance in the same point. The inheritance proceedings begin ex offio subsequently.

The purpose of my thesis is to analyse the institution of testate succession. Actually there are two possibilities of inheritance succession. The first is an intestate succession and the alternative is constituted by a testate succession. Although in the Civil Code there is mentioned the intestate succession in the first place, testate succession holds the first position in practice. In fact legal heirs succeed if a deceased doesn't leave any testament. The exception is represented by forced heirs. The legal grounds to the testamentary succession there is a testament, sometimes called a will of deceased, too. It is necessary to write a testament in compliance with provisions of the Civil Code to be valid.

The thesis is composed of five chapters, each of them dealing with different aspects of testate succession. Chapter One is introductory and there is also explained the historical context of testate succession. Chapter Two is named "Preconditions of succession", at first it defines basic terminology used in the thesis, for example the subjective law of succession and the objective law of succession, the heir, the deceased, etc. After that there are described particular preconditions of succession. Chapter Three deals with the subject of testate succession. The chapter consists of eight subchapters. The first mentions basic definition of testament. The second and the third subchapter present requirements of testament to be valid. Following subsection focuses on protection of forced heirs. Next subpart illustrates the institution of disinheritance. Subsequently there are surveyed the forms of testaments. In this chapter I finally concentrate on problems resulting from deposit of last will and annulment of testament. Chapter Four seeks to reflect all the changes achieved in the new Civil Code interrelated with testate succession. Especially there is taken heed of making testament with dispense during some extraordinary situations. Conclusions are drawn in Chapter Five. I finally reach a main conclusion that new legislation is imperative first and foremost to accomplish the boost freedom of testation.